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In re application of:

Applicants: Theodore Clark Brown, et al

Examiner: Nguyen, Xuan Lan T.

Serial No.: 10/074,733

Group Art: 3683

Filed: 02/13/2002

For: LOCOMOTIVE BRAKE RESISTOR COOLING APPARATUS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450CERTIFICATION OF FACSIMILE TRANSMISSION

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Interview Summary (2 pages)

2/13/04

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INTERVIEW SUMMARY

A telephonic interview was conducted on 02 February 2004 between Examiner Lan Nguyen and the applicant's attorney of record David Maire. The Interview Summary Form PTOL-413 completed by the Examiner is supplemented herein with the following summary of the general thrust of the principal arguments discussed.

The Examiner felt that the then-pending claim 3 did not claim over the prior art because there could be considered a "corner" in the portion of the outer wall of the device of Guntner just downstream of vane 9A where the wall makes an angle to create a larger diameter. It was agreed that the vane 9A of Guntner was not spaced apart from the duct to allow a portion of the flow of cooling air to pass between the vane and the corner, and that such a limitation in claim 3 would differentiate that claim from Guntner.

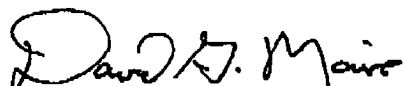
The applicant described the V-shape of claim 19 as being two plates each connected to the duct at one end and connected to the other plate at an opposed end and having a downstream portion disposed closer to the corner than an upstream portion. The

Examiner agreed that such limitations would resolve the rejection of claim 19 under 35 USC 112.

The applicant pointed out that a closer reading of Paper A3 submitted by the applicant reveals that it does not anticipate claim 15. The Examiner said that further consideration of this claim would be needed.

An amendment under 37 CFR 1.116 has subsequently been filed to incorporate the above-described claim amendments.

Respectfully submitted,



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